Planning Inspectorate

Appeal Decision

Site visit made on 11 August 2026 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th August 2026

Appeal Ref: 6009322
18 Fishpond Lane, Holbeach, Spalding, Lincolnshire PE12 7DE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs Ringer against the decision of South Holland District Council.
- The application Ref is H09-1285-25.
- The development proposed is Extension to existing garage to provide a ground floor games room and first floor ancillary accommodation incidental to the main dwelling, for use as part of the main household.

Decision

1. The appeal is dismissed.

Appeal Procedure and Preliminary Matters

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

3. The decision notice refers to the gardens of dwellings to the south-west of the site which are properties that are located on Lawyers Close. However, the officer report refers to the impact upon Number 20 Fishpond Lane (No.20) and makes no reference to any other dwellings. For clarity, I have assessed the effect of the proposal on occupiers of all aforementioned dwellings in my recommendation.

4. Having reviewed the most recent changes to the National Planning Policy Framework (The Framework), I am satisfied that they do not affect the substance of the main issues in the appeal or the outcome thereof. Since their arguments would not therefore be prejudiced, I have proceeded without further consultation with the main parties.

Main Issues

5. The main issues are the effect of the proposal on a) the living conditions of the occupants of neighbouring properties with particular regard to light and privacy and b) the character and appearance of the area.

Reasons for the Recommendation

Living Conditions

6. The appeal property is a detached bungalow with accommodation in the roof space situated within an area that is predominantly residential. The property has a fairly low profile. It sits within a large garden and is bordered to the side by No.20 and to

the rear by other dwellings on Lawyers Close. The property already benefits from a large outbuilding in the rear garden which is partly visible from the roadside. The same can be said for No.20 which is of a similar size and has a similar layout to the appeal site. The properties on Lawyers Close are two storey terraced dwellings with smaller rear gardens.

7. The existing outbuilding is single storey and the proposal would add a two storey extension to the building to create an 'L-shape'. It would extend along the majority of the rear boundary. The building would therefore be positioned immediately alongside the rear boundary of the gardens to the properties on Lawyers Close and would spread across the entirety of the rear boundary for Numbers 11 (No.11) and 13 (No.13). The existing space above the boundary fencing provides some visual alleviation and light for users of the rear gardens and their rear windows. This would be unacceptably eroded as a result of the proposal which would erect a tall block along the boundary, filling the space that allows natural light to permeate. The somewhat looming effect of the height, proximity and run of the extension would garner a strong sense of enclosure for the occupants of No.11 and No.13.

8. No.20 has a similar layout to the appeal property and therefore benefits from a large rear garden and outbuilding. The outbuilding is positioned alongside one of their boundaries alongside the appeal property and would therefore be positioned between the neighbouring dwelling and the proposed extension. Although the extension would be visible from within the garden of No.20, due to the position of the outbuilding within a large garden and the orientation of the proposed extension away from No.20, the proposal would not cause a harmful loss of light for the occupants of No.20.

9. Similarly, due to the position and orientation of the extension within the appeal site and the position of the outbuilding of No.20, views into the garden of No.20 would be restricted from the windows of the extension. Although No.20 would be visible, such views would not amount to a harmful loss of privacy for the occupants of No.20. There are no windows proposed on the rear elevation of the proposed extension and therefore the users of the proposed building would not be able to overlook properties to the rear. There would therefore be no loss of privacy for the occupants of those dwellings.

10. Nevertheless, given the harm that I have found with regard to light, the proposal would conflict with the requirements of Policies 2 and 3 of the South East Lincolnshire Local Plan 2019 (LP) which are concerned with residential amenity amongst other things.

Character and Appearance

11. The closest dwellings on Fishpond Lane to the appeal site are also bungalows. The single storey outbuilding is positioned within the garden and is already of a substantial size that spreads along almost the entire length.

12. The scale of the extension is particularly large and would create an almost tower like block in the rear garden. The extension would be of a similar height to the host dwelling and the eaves would be much higher. The main dwelling has a particularly low profile and pitched roof which would exacerbate the impression of the large scale of the proposed extension behind. The outbuilding would fail to respect the primacy of the main dwelling and compete for visual dominance. Views of the building would be particularly prominent from the gardens and windows of the

closest dwellings and as a backdrop from Fishpond Lane. It would appear as an incongruous feature.

13. The proposal would provide space for the older children of the family in the dwelling and there is no suggestion that it would not be used in an ancillary manner. It would be functionally linked to the main dwelling and would share the same access with no subdivision. Although the scale of the proposal is tantamount to that of a dwelling, that is not the scheme before me. That being said, for the reasons set out above, it would therefore cause harm to the character and appearance of the area. It would thus conflict with Policies 2 and 3 of the LP which are concerned with the relationship of a proposal to existing development.

Other Matters

14. I remain to be convinced that the appeal proposal would be the sole way of achieving privacy for the appellant from the houses on Lawyers Close based on what I have seen in the evidence and on site. Acceptability and a lack of objection with regard to highways, flood risk and other technical matters would be a lack of harm and would not weigh in favour of the appeal scheme.

15. Although a solar study has been submitted that shows limited overshadowing as a result of the proposal, the harm identified also comes from the light that is experienced from within the neighbouring properties and gardens, not just the level of overshadowing that there may be which is more linked to exposure to sunshine. The proposal would not conflict with Policy H1 of the LP, but this would not make it acceptable for the reasons I have set out above.

Conclusion and Recommendation

16. With regard to Policy S4 of the Framework and the principle of development within settlements, there would be some benefits to the proposal for the occupants. However, these would be mostly of a private nature, and I therefore ascribe them limited weight. The harm I have found, and the subsequent development plan conflict is worthy of significant weight, given it relates to design matters and the living conditions of neighbouring occupants. This would make it obvious, long lasting and impactive for people.

17. The Framework also sets out, at Policy DP3, that development should respond to its context and, in Policy P3, that development should be appropriate for its location in regard to living conditions, With this in mind, the benefit of granting planning permission for the proposal would be substantially outweighed by the adverse effects.

18. For the reasons given above, the appeal scheme would conflict with the development plan, and material considerations do not indicate a decision other than in accordance therewith. I therefore recommend that the appeal should be dismissed.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR